S.B.CRIMINAL LEAVE TO APPEAL NO. 80/2007

(Smt. Santosh Verma Vs. Laxmi Narain Joshi)

Date of order : 25/07/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. Sanjay Mathur for the appellant.

Heard learned counsel for the appellant. Perused the judgment and order impugned as also record of the trial court.

It is contended by learned counsel for the appellant that PW-1 Manohar Verma is power of attorney holder of Santosh Verma who is wife of PW-1 Monohar Verma. The power of attorney has also been filed before the trial court, yet the trial court acquitted the respondent.

Having considered the totality of facts and circumstances of the case, I think it a fit case to grant leave to appeal to this Court.

Accordingly, the leave to appeal to this Court is granted. The memo of leave to appeal be treated as memo of appeal. Let the appeal be registered on regular number. Appeal is admitted. Accused respondent Laxmi Narain Joshi be summoned by bailable warrant of Rs.5000/- for his appearance before this Court on 24/8/2007 and as and when called upon to do so.

The appellant has also filed an application being Cr.Misc. Application No.305/07 under Section 311 Cr.P.C. Learned counsel for the appellant seeks to withdraw the application with liberty to file fresh application under Section 391 Cr.P.C. for leading additional evidence. The application is dismissed with the liberty sought for.

(H.R.PANWAR),J.

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